

REMARKS

The Office Action dated October 31, 2006 has been reviewed carefully and the application has been amended in a sincere effort to place it in condition for allowance. Claims 1-28 are currently pending in the case.

Claim Rejections - 35 U.S.C. §103

Claims 1-28 were rejected under 35 U.S.C. §103 as being unpatentable over United States Published Patent Application No. US 2004/0158618 to Shaw ("Shaw"), in view of United States Published Patent Application No. US 2004/0199787 to Hans et al. ("Hans").

Applicant's invention as set forth in representative claim 1 comprises in part:

A method of licensing and managing media resources in a telecommunications system including a converged services platform, said method comprising the steps of:

creating a central pool storing resource points representing a license or authorization level of media resource service capability; and

dynamically allocating portions of said central pool to one or more media resource cards, as needed to perform specific DSP services for a customer.

In contrast, Shaw describes a wireless network environment in which units 133 and 134 (Fig. 8) are programmed to communicate with the base station controller (BSC) 104. A mobile switching center (MSC) 116 is responsible for *routing calls* to their appropriate destination, (Paragraph 0032) and to perform the steps of Fig. 9 in order to allocate and configure network resources to respond to a service request received from one of the units such as cell phone 133, personal digital assistant 135, or the car phone 137. The MSC evaluates the level of service a subscriber has in various circumstances, such as

when the subscriber roams into a remote network out of its home network. The level of service for which the user is authorized is determined. This information includes the type of media involved such as text, graphics, voice and non-voice and other information types. When it is determined whether there are available network resources this is primarily a determination of whether the network has sufficient bandwidth to perform the services. For example, a streaming video service may require ten Mbps of network bandwidth to deliver streaming video to terminal devices. However, only one Mbps of bandwidth may be available (Paragraph 93).

In sharp contrast, Applicant's media resources card, such as the card 38, is used within a converged services platform to provided enhanced services (voice mail, voice recorded announcements and the like) for hundreds of calls via the Internet and the PSTN as illustrated in Fig. 1. Applicant's media resource card provides such additional card services using its digital signal processors (DSPs). Applicant's card is not simply determining whether the network has sufficient bandwidth to handle transmitting the amount and type of information to a subscriber's terminal. Applicant's inventive method uses a media resources card that provides digital signal processing capability to handle a particular service request, if the user is licensed and authorized for such a request. This can be evaluated and the user can be billed according to such usage based upon the resource allocation points required for the usage.

The method also provides for load balancing in that if the customer's service request cannot be handled by a first DSP, then a different DSP or DSPs on a different media resources card are assigned to the task by Applicant's system. For example, as shown in Fig. 1, Applicant's system contains media resource card 38 as used in a converged services platform. As shown in Fig. 2 the media resources card 38 has multiple DSPs (46a-46d). The method of the present invention examines the resources required and checks whether the resources are available in the media resource card and allocates resources among the different DSPs, or among different cards, as necessary, as illustrated in Figs 4A and 4B. It can also be used to allow a customer to license additional points for more services. Thus, in Applicant's method the specific functionality determines the resource

allocation, not just whether the bandwidth exists to route the information from one point to another in the network.

In Shaw, MSCs 116 and 126 are not described in such a manner. Accordingly, Shaw does not disclose teach or suggest Applicant's claimed feature of *dynamically allocating portions of said central pool to one or more media resource cards, as needed to perform specific DSP services for a customer.*

Accordingly, Shaw alone does not render Applicant's invention obvious. In order to enhance the claims and to clarify the distinctions which the present invention has over the cited references, the independent claims have been amended to recite specifically that the services are performed within the DSP. Such services may include for example tone detection, tone generation, playback/recorded announcements and other similar services (Specification, page 9, lines 4-6).

Hans, on the other hand, relates to a card device 100 which may be any kind of known card device 100, such as a smart card or any other kind of portable device having provided thereon a memory and a processing unit. The card device may be provided for making payments and obtaining services such as banking applications, healthcare, transportation, and entertainment. The card device 100 can be a type of plastic card imbedded with a computer chip....(Paragraphs 41 and 42).

Applicant's method uses a media resources card (such as the card 38) that is placed within a converged services platform to provides call enhanced service functionality to calls coming from the Internet and to the PSTN as illustrated in Fig. 1. Applicant's card is not a smart card which can be used by a customer at an ATM machine as in Hans but, instead, is a system level card which is located within the network to provide resources for the entire telecommunications network.

Therefore Hans alone does not render Applicant's invention obvious because it does not apply to the same type of device as in Applicant's claimed invention, and further there is nothing in Hans that would motivate a combination of its smart card with Shaw's wireless telephone network. Even if the two references were combined, the combination

still does not disclose teach or suggest Applicant's resource allocation of DSP services based upon a resource point pool, as claimed by Applicant.

Based upon the amendments and arguments provided herein, it is respectfully submitted that the claims are patentable over the cited references and that the application is now in condition for allowance.

Request for an Interview

After the Examiner has had an opportunity to review the amendments and arguments presented herein, the Examiner is requested to telephone the undersigned in order to further advance the prosecution of this application.

Please charge any additional fee occasioned by this paper to our Deposit Account
No. 03-1237.

Respectfully submitted,


Rita M. Rooney
Reg. No. 30,585
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-3063